

Amberkar

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION

TESTAMENTARY SUIT NO. 5 OF 2023
IN
TESTAMENTARY PETITION NO. 115 OF 2021

Zankhana Pankaj Patel

.. Plaintiff

Versus

Siddhesh Rajesh Patel & Anr.

.. Defendants

.....

- Mr. Rajkumar Mishra i/by Ms. Shakti Deengar, Advocate for Plaintiff
- Mr. Rohit Pawaskar i/by Mr. Sandeep Waghmare, Advocate for Defendant No. 1

.....

CORAM : MILIND N. JADHAV, J.

DATE : SEPTEMBER 17, 2025

P. C.:

1. Heard Mr. Mishra, learned Advocate for Plaintiff and Mr. Pawaskar, learned Advocate for Defendant No. 1.

2. In view of the order dated 13.03.2025, Plaintiff was directed to file affidavit in lieu of examination in chief of witnesses of fact in Court. Pursuant thereto Plaintiff has filed affidavit of only first witness which will not be permitted by this Court. I am informed that affidavit of documents has been filed. Original documents are filed in Court. There are two Defendants before the Court. Plaintiff desires to lead evidence of two witnesses.

3. Today, Mr. Pawaskar, learned Advocate appears for Defendant No. 1. Advocate for Defendant No. 2 is not present. Advocate Veer

Kankaria is appearing for Defendant No.2. He is directed to remain present on the next adjourned date when this Court shall undertake the exercising of marking the documents as exhibits. If Advocates for Defendant Nos. 1 and 2 have any difficulty with respect to admission and denial of documents, the same shall be conveyed to the Advocate for Plaintiff.

4. All parties shall be heard on the next adjourned date subject to filing of affidavit of remaining witnesses of fact by Plaintiff. Department is directed to accept the affidavits of evidence of remaining witnesses of Plaintiff as per the list of witnesses.

5. Stand over to **6th November, 2025.**

[MILIND N. JADHAV, J.]

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